

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

NICOLASA BERRIOS RIVERA * CASE NO. 09-01887-GAC13
DEBTOR * CHAPTER 13

**MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN**

TO THE HONORABLE COURT:

NOW COMES, **NICOLASA BERRIOS RIVERA**, through the undersigned attorney, and very respectfully states and prays as follows:

1. Debtor is hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated July 17, 2009, herewith and attached to this motion.

NOTICE TO CREDITORS AND PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN, that debtor proposed post-confirmation Plan is hereby circulated to all creditors and parties in interest. You are hereby notify that you have twenty (20) days to reject the proposed modification of this Plan and request a hearing.

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants and debtor, Nicolasa Berrios Rivera; and to all creditors and parties in interest in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 17th day of July, 2009.

/s/ Roberto Figueroa Carrasquillo
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**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 09-01887-13

BERRIOS RIVERA, NICOLASA

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>7/17/2009</u> <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION		<input type="checkbox"/> AMENDED PLAN DATED: _____ Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ <u>150.00</u> x <u>60</u> = \$ <u>9,000.00</u> <u>\$</u> _____ x _____ = \$ _____ <u>\$</u> _____ x _____ = \$ _____ <u>\$</u> _____ x _____ = \$ _____ <u>\$</u> _____ x _____ = \$ _____ TOTAL: \$ <u>9,000.00</u>		II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>BANCO POPULAR D</u> Cr. <u>BANCO POPULAR D</u> Cr. _____ <u># 71010013057321</u> # <u>POST-PETITION</u> # <u>\$ 12,491.56</u> \$ <u>2,619.29</u> \$ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <u>MUEBLERIA BERRIC</u> Cr. _____ Cr. _____ <u># 2304639707</u> # _____ # <u>\$ 2,547.00</u> \$ _____ \$ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ <u>#</u> _____ # _____ # _____ <u>\$</u> _____ \$ _____ \$ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>BANCO POPULAR D</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ <u>#</u> _____ # _____ # _____ <u>\$</u> _____ \$ _____ \$ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (<i>Executory contracts; payment of interest to unsecureds, etc.</i>) Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to Muebleria Berrios thru the Trustee in the sum \$30.00 per month for the next eight months or until confirmation. <i>*Or as otherwise specified on proof of claim.</i> <i>Late filed claims filed by creditors will receive no distribution.</i> <i>"Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.</i> <i>Debtor reserves the right to object claims after plan confirmation.</i>	
Periodic Payments to be made other than, and in addition to the above: <u>\$</u> _____ x _____ = \$ _____		<u>PROPOSED BASE: \$ 47,000.00</u>	
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,454.00</u>			
Signed: <u>/s/ NICOLASA BERRIOS RIVERA</u> Debtor <u>Joint Debtor</u>			

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